

**Minutes
Chiropractic Physician Licensing Board**

April 6, 2006

Room: 4A

Heber Wells Building

Convened: 9:09 a.m.

Adjourned: 11:50 a.m.

Division Staff Present:

Division Director

Bureau Manager

Bureau Manager

Board Secretary

Acting Board Secretary

Acting Board Secretary

J. Craig Jackson

Daniel T. Jones

Noel Taxin

Lee Avery

Sally Canavan

Judy Howard

Members Present:

Theodore J. Scott, DC, Chairperson

Lew Wheelwright, DC

James D. Knight, DC

Gordon McClean Jr., DC

Ed Sperry

Guests Present:

Tim Apgood

Craig Campbell, DC

Paul Powers, DC

RECOMMENDATIONS

Review Minutes:

TOPICS OF DISCUSSION DECISIONS &

The minutes of January 19, 2006 were reviewed. Dr. James Knight motioned to accept the minutes as is, seconded by Dr. Lew Wheelwright.. The motion carried unanimously.

Appointments:

Paul Powers, DC – Rule Change Proposal

Dr. Powers presented himself to the Board. Dr. Powers advised the Board he is a licensed Chiropractic Physician for twenty (20) years, fifteen (15) years Director of Chiropractic Neurology and last five (5) years working in long distance learning. Dr. Powers stated he is an authorized representative of University of Bridgeport College of Chiropractic, Division of Postgraduate and Continuing Education, a CCE accredited College.

Dr. Powers advised the Board he has appeared before many State Boards regarding distant learning continuing education. Dr. Powers stated he is representing many Chiropractic Physicians in Utah and has submitted a Motion for Reconsideration of Rule Amendment, R156-73-303b (h) no more than 10 hours of continuing education, in each two year period of licensure, may be by distance learning.

Dr. Powers gave the Board a packet containing distant learning continuing education information, noting the following:

1. There are numerous State Boards who have eliminated the minimum distant learning requirement.
2. Gives Chiropractors a choice.
3. Better accountability because the program is set to allow a specific number of hours, regardless of how long it takes the physician to complete the program.
4. The Chiropractor can go back and review.
5. If the exam is failed, the program loops them back around.
6. There are administrative safe guards to ensure quality.
7. The Board can set its own parameters, ie: can be limited to non-hands on education, must be CCE Accredited, etc
8. Distance learning can decrease the financial burden, ie: the Chiropractor will not have to take time away from the practice and/or travel long distances.

The Board expressed its concerns with Dr. Powers and advised him it will table the discussion until the next Board meeting. Mr. Jones will advise Dr. Powers.

Physical Therapy – Dr. Craig Campbell,
DC

Dr. Campbell introduced himself to the Board. Dr. Campbell stated he has been a Chiropractic Physician for twenty six (26) years and is the Utah Chiropractic Association Chairperson. Dr. Campbell stated he is meeting with the Board to express his concerns regarding Physical Therapists doing adjustments

and reviewed with the Board several letters, he has received, indicating this is happening.

The Board discussed its concerns in detail, noting the Chiropractic Physician Scope of practice clearly defines 'adjustment' while the Physical Therapist scope of practice does not. Ms. Taxin advised the Board to assist the Investigators, the Division needs complaints directly from the patient, not third party complaints.

Ms. Taxin stated some of the problems may be in interpretation and the patient may need to be educated between a Chiropractic Physician and Physical Therapist. Dr. Wheelwright motioned to refer this back to the Association to make contact with the Physical Therapist Association to work out the differences and if this does not work then the Chiropractic Physician Board should meet with the Physical Therapist Board, seconded by Dr. Knight. The motion carried unanimously.

Homeopathic Remedies – Daniel T. Jones

Mr. Jones advised the Board homeopathic remedies are not regulated in Utah at this time.

Injectable Nutrients – Daniel T. Jones

Mr. Jackson advised the Board all injectables are legend drugs, including water, saline and nutrients. They have the federal caution. The Chiropractic Physicians practice act allow them to give orally and apply topically, however, they cannot do injections. After further discussion, Dr. Knight motioned to add this to the next rule update.

After further discussion, Dr. Knight, motioned to have the Attorney General give a clarification regarding injectables.

Amended by Dr. Wheelwright to hold off until we get further information from all sides of the issue, seconded by Dr. McClain, motion carried unanimously

Mr. Sperry motioned to have the Association post letter regarding the use of injectables, seconded by Dr. McClain, carried unanimously.

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Utah Laws and Rules exams – Daniel T. Jones

Mr. Jones advised the Board the Division is looking to streamline our process. The law exam was originally put forward so the testing agency had revenue to send out our applications and statutes. With the implementation of the Division website, we are referring our customers to the website for this information. The Board expressed its concerns, felt accountability may be jeopardized. Dr. Knight motioned to maintain the law exam, however, the format in which it is given to be determined, seconded by Dr. McClean. The motion carried.

Dr. Knechtel, update - Dr. Gordon McClean

Dr. McClean advised the Board Dr. Knechtel failed to keep his agreement to submit ten (10) patients files to him for review. Dr. Knechtel is not in compliance. Mr. Jones stated he will follow-up with this.

Dr. Whitley, update - Daniel T. Jones

Mr. Jones gave the Board information regarding Dr. Whitley for its review. Mr. Jones asked the Board for its opinion no later than Wednesday April 12, 2006.

Dr. Keith Hansen update – Daniel T. Jones

Mr. Jones advised the Board Dr Keith Hansen, DC will meet with it at the July meeting.

The Board asked to have Attorney Karl Perry meet with it in July.

Dr. Knight motioned to adjourn, seconded by Dr. Wheelwright. The motion carried unanimously.

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Next Meeting

The next meeting is scheduled for July 13, 2006

The meeting for 2006 have been scheduled for: October 12.

Date Approved

Chairperson, Chiropractic Licensing Board

Date Approved

Bureau Manager, Div. of Occupational & Professional Licensing